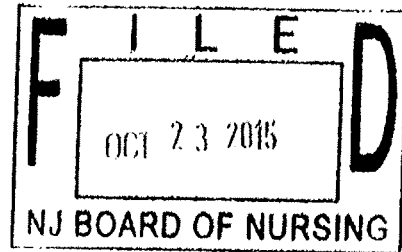
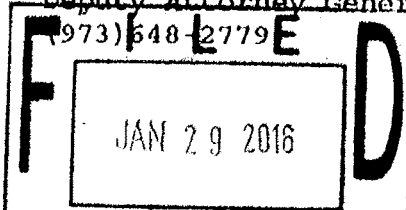


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE ~~STATE BOARD OF NURSING~~ DIVISION
OR REVOCATION OF THE LICENSE OF
Allison A. Brown, C.H.H.A.
Certificate No. 26NH01544200
HOMEMAKER-HOME HEALTH AIDE
IN THE STATE OF NEW JERSEY

ADMINISTRATIVE ACTION

PROVISIONAL ORDER OF
DISCIPLINE

☒ FINAL ORDER OF DISCIPLINE
(Finalized by default
on January 29, 2016/01/29/2016)

FINAL

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Allison A. Brown ("Respondent") is a certified homemaker-home health aide in the State of New Jersey and has been a licensee at all times relevant hereto. (Exhibit A).

2. The Board received notification that Respondent was terminated by her employer, VNA Home Care & Hospice of Mercer County (VNA Home Care), on September 10, 2014 for allegations of theft of services. (Exhibit B).

3. It is alleged by VNA Home Care that Respondent submitted documentation of an actual visit with patient B.B. on September 8, 2014, when in fact no visit occurred on that date.

4. On the date in question, Respondent was discovered in the patient's home by D.L. (a registered nurse also employed by VNA Home Care) when the patient was not there. D.L. later returned to the home and the family confirmed patient B.B. missed her nursing and aide appointments that day. D.L. documented a missed visit for patient B.B. for September 8, 2014, but noticed that Respondent had documented an actual visit, and that she had performed tasks that were on the care plan on that date. On September 9, 2014, a clinical manager for VNA Home Care called B.B.'s family and confirmed that B.B. was not home when Respondent visited. (Exhibit C).

5. In response, the Board sent Respondent a Demand for Written Statement Under Oath. Respondent replied to the Board's request on March 30, 2015, and responded "Yes" to question No. 9 which inquired whether she submitted false documentation regarding a patient visit on September 8, 2014. (Exhibit D).

CONCLUSIONS OF LAW

By submitting falsified documentation of a patient visit Respondent engaged in the use or employment of dishonesty, deception, or misrepresentation within the meaning of N.J.S.A. 45:1-21(b), which the Board considers be professional misconduct subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(e).

ACCORDINGLY, IT IS on this 23rd day of October, 2015,

ORDERED that:

1. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent's certificate to practice as a homemaker-home health aide will be suspended for a period of one (1) year.
2. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent shall refrain from engaging in the practice as a homemaker-home health aide and shall not represent herself as a homemaker-home health aide until such time as her certification is reinstated. Any practice in this State prior to such reinstatement shall constitute grounds for a charge of unlicensed practice.
3. Upon the filing of a FINAL ORDER OF DISCIPLINE Respondent is assessed a civil penalty in the amount of two hundred fifty dollars (\$250). Payment shall be made by certified check, bank cashier check, or money order payable to

"State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to Twalema Khonje, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of a FINAL ORDER OF DISCIPLINE. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

4. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent shall promptly, within 5 (five) days, mail her certificate, wall and wallet version, to practice as a homemaker-home health aide to Twalema Khonje, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101.

5. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30th day following entry hereof unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

- a) Submitting a written request for modification or dismissal to Twalema Khonje, State Board of Nursing, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.
- b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

- c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

6. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a FINAL ORDER OF DISCIPLINE will be entered.

7. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

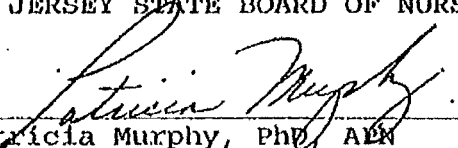
8. In the event that the Board receives no written request for modification or dismissal within 30 days following entry of this Provisional Order, without further Board review,

all referenced preliminary Findings of Fact and Conclusions of Law and all provisional sanctions or penalties imposed by this Order shall automatically become the Final Decision and Order of the Board. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

9. The Board reserves the right to initiate disciplinary proceedings based upon any information that Respondent ultimately provides in response to the letter of inquiry or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, AEN
President